

passionate defender of America's national ideals and, I might add, of international human rights. Loretta and I count PATRICK and his wonderful wife Marcelle as really good friends.

I have been on the Senate Judiciary Committee, chairing it for a year. I have more insight into that job than I ever had before, and I have certainly realized that when Senator LEAHY was the chair of that committee, he wrote an extraordinary record, which many of us only dream of emulating.

I thank him for his passionate, consistent, faithful support of the DREAM Act, which I introduced 20 years ago, and his efforts to help me get this enacted into law. I also appreciated when he gave me the opportunity to create a new subcommittee in Judiciary entitled the "Subcommittee on Human Rights and the Law," which I chaired. We did good things for America and the world.

PAT LEAHY is known throughout the world, and I mean that literally, as a defender of human rights and human dignity. I have seen it so many times.

He and I decided to join forces a few years ago on behalf of a political prisoner. Her name is Leila de Lima. She is a human rights advocate and a senator in the Philippines. She is in jail.

Two years ago, Senator LEAHY passed an amendment on her behalf in the State and Foreign Operations Appropriations Subcommittee. As a result, strongman Rodrigo Duterte of the Philippines banned both Senator LEAHY and myself from entering the Philippines because of our action. I can tell you that we take great pride in being singled out in that manner. Duterte knew, as we all know, that when PATRICK LEAHY sees injustice, he will use his power in office to put things right.

His service in the Senate has been a great benefit to our Nation, our world, and his beloved State of Vermont, and we will certainly miss him when he retires. I will just add, though, watch closely because he is going to run through the tape. He has a little over a year left in the Senate, and I am sure he will work for that entire period of time for the betterment of this Nation and his beautiful Vermont.

#### REMEMBERING MAX CLELAND

Madam President, over the weekend, I reflected on an event in my life that occurred 58 years ago.

On November 24, 1963, I had just transferred and was a sophomore at Georgetown University. It was a chilly, gray Sunday morning, and I had joined a huge crowd of thousands of people in Lafayette Square, across the street from the White House, to stand in mournful silence.

A few minutes after 1 o'clock that afternoon, the doors of the White House opened, and the flag-draped casket of President John F. Kennedy was carried out. The casket was placed on a caisson for a solemn procession to this U.S. Capitol. The route was lined with hundreds of thousands of mourners

standing 10, 12 deep. Hardly anyone spoke. The only sounds were the clacking of horses' hooves, the sound of metal wheels on the pavement, and the muffled sounds and drums of the military escort.

More than 30 years later, I recounted that student experience to a colleague in the U.S. Senate. His name was Max Cleland from the State of Georgia, and he said to me: "Durbin, I was standing in the same corner in Lafayette Square that you were standing in." He was there for the same reason I was: to witness history and to pay homage to our fallen President.

There we were, just a few feet away from one another in Lafayette Square, but our lives took a much different course immediately after that.

I went to law school, married, and started a family, and my wife and I were blessed with three kids.

Max Cleland enlisted in the U.S. Army in 1965 after graduating from college. Military service was a long tradition in his family. He spent 2 years in what he called a "cushy" job as an Army aide, and he hated it. He fought to be sent to Vietnam.

In April 1968, with less than a month left in his tour of duty, Army CPT Max Cleland found himself at the Battle of Khe Sanh, one of the longest and deadliest battles in the Vietnam war.

On April 8, 1968, he jumped off of a helicopter and saw a hand grenade on the ground. He thought it had fallen off his flak jacket. As he reached to pick it up, the grenade exploded, tearing off his right arm and both of his legs. He was 25 years old.

When he was recovering at Walter Reed, a friend took his doctor aside and asked him in confidence: What sort of life awaits this triple amputee? What would he be able to do?

The doctor said that if Max ever recovered enough just to put on his own shirt, that simple task would exhaust him for the rest of the day. Well, that doctor didn't understand his patient. He didn't know Max Cleland. He saw what that grenade blast had taken away from him, but he didn't see the deep reservoirs of faith, strength, and determination that remained in Max and grew stronger over time.

Before his injury, Max Cleland was the golden boy of his hometown of Lithonia, GA. He was his parents' only child. He stood 6 feet 2 inches, was a basketball and tennis player in high school, and was voted the "most exceptional student" during his senior year. He could have done anything with his life, but during that internship semester in Washington in 1963, Max Cleland decided he wanted to be a U.S. Senator. Nothing could kill that dream—not even the terrible explosion at Khe Sanh that took three of his limbs and nearly took his life.

After 8 months in VA hospitals and rehab centers, he went home to Georgia. In 1970, at the age of 28, he became the youngest person ever elected to the Georgia State Senate. In 1984, he be-

came the youngest person to head up the U.S. Veterans' Administration, now the Department of Veterans Affairs. It was under his watch that the VA first admitted the existence of something called post-traumatic stress disorder. Max knew the hell of post-traumatic stress well. He fought for treatment and compensation for our vets, and he struggled with visible and invisible wounds of war.

In 1982, Max Cleland was elected Georgia secretary of state, a position he held for 14 years. During that time, he gathered some of the biggest vote totals in Georgia history.

When Georgia Senator Sam Nunn decided to retire in 1996, Max knew it was his chance. He threw his hat in the ring and was elected U.S. Senator of Georgia.

We came to this Senate together in 1997. When Max came to the Senate, there was no ramp for wheelchair users in the Senate. He had to make his first speech from the back of the Chamber. He tucked a quote from the Book of Isaiah inside his breast pocket. It was simple: "Do not be afraid." He joined the Armed Services Committee and expanded education benefits for all veterans through the GI bill.

He was just full of energy and good cheer. I remember that warm smile and his big belly laughs. His optimism was a choice, and it required a grueling regimen to maintain it. He took 3 hours every morning to prepare himself physically and mentally to face each day. I remember reading an article in the Washington Post about a regimen of strenuous physical exercise, which he designed for himself. He had taken a spare bedroom in his apartment and did his own workout routine—this triple amputee—each morning.

For years, Max felt a sort of shame about his injuries. He felt the wounds were his own fault. He always thought that he had dropped the hand grenade that nearly killed him. It took 30 years for the truth to come out.

Max was telling this story on national TV when a man called in afterwards and said: I need to talk to Senator Cleland. He said to him: "Max, that's not how it happened at all. I know. I was there." He said another soldier had dropped the grenade, a "newbie" who hadn't taken the precautions that veteran soldiers know to take to prevent an accidental detonation.

The story turned out to be true, and after 30 years, Max could begin to forgive himself.

Max was serving in the Senate on 9/11. Months later, the Senate was debating how to merge several Agencies, offices, and Departments into the brandnew Department of Homeland Security. It was the biggest reorganization of the Federal Government since World War II, and it would create one of the largest Federal Agencies.

Some saw it as an opportunity to take on the unions. Max and I and many others thought otherwise. We

voted against an amendment that would have denied employees of the new Department the same collective bargaining rights as other Federal workers.

It was months later that Max stood for reelection. Near the end of that race, there was an infamous ad that showed images of Osama bin Laden and Saddam Hussein and questioned Max's commitment to protect America.

How do you look at a man who has lost three limbs in war and struggled every day of his life to serve others and accuse him of not being willing to defend this country?

Max Cleland was one of six Vietnam veterans in the Senate at that time. All of his brothers in arms, including Republican Senators John McCain and Chuck Hagel, were furious about that ad. They raised enough hell to have that ad pulled. Sadly, the damage was done. Max lost his race for reelection. He called that loss "the second hand grenade" in his life.

In his 2009 memoir aimed at his fellow wounded veterans, he wrote: "My body, my soul, my spirit, and my belief in life itself was stolen from me by the disaster of the Vietnam War. I found solace in attempting to 'turn my pain into somebody else's gain' by immersing myself in politics and public service."

When his Senate years were over, he said: "I went down physically, mentally, emotionally, down into the deepest, darkest hole in my life. I had several moments when I just didn't want to continue to live."

The post-traumatic stress came roaring back into his life, and so 40 years after he first arrived there, Max returned to Walter Reed to try to mend not his body but his broken heart. It was connecting with other warriors that pulled him out of his despair.

I want to thank my Senate colleagues and especially my friend, former Majority Leader Harry Reid, for their commitment during that dark time. They helped him return to public service.

He was appointed to the 9/11 Commission and served for a short while before resigning to serve on the board of the U.S. Export-Import Bank. In 2009, President Obama chose Max to serve as Secretary of the American Battle Monuments Commission.

Last week, Max Cleland died at his home in Atlanta. His big heart finally succumbed. He was 79 years old.

On the same day he died, another veteran fighting the invisible wounds of war shot and killed himself at the Lincoln Memorial in Washington. Air Force TSgt Kenneth Omar Santiago was only 31.

In a note posted on social media before he died, he wrote: "No one knows who is struggling and waging wars that the eye cannot see. What does chronic depression even look like?"

Max Cleland knew the answer to that question. If he had met Sergeant Santiago—or any of the 17 veterans

who die by suicide every single day in America—he would have told them what he said to himself every day: "Hold on. Seek help. Do not be afraid."

Max Cleland was a soldier, a patriot, and a friend. We can pay no better tribute to him than to honor his service and sacrifice and help those who continue to live with those visible and invisible wounds of war.

Farewell, Max. I will miss you.

#### FEDERAL BUREAU OF PRISONS REPORT

Madam President, on a completely different topic, earlier today, the inspector general at the Department of Justice released a stunning report. It found that the Federal Bureau of Prisons had failed to negotiate with the prison guard union for more than 20 months.

Think of that. The management of the Federal Bureau of Prisons failed to negotiate with the prison guard union for more than 20 months. This has led to a delay of more than 30 critical Bureau policies to help protect their staff and inmates.

That report was published just days after an investigation by the Associated Press, which concluded that the Bureau is "a hotbed of abuse, graft and corruption, and has turned a blind eye to employees accused of misconduct."

Both investigations confirm what we have known for a long time: the current Director of the Bureau of Prisons, Michael Carvajal, should no longer lead the Bureau of Prisons.

This morning, I publicly called on Attorney General Merrick Garland to replace Mr. Carvajal with a reform-minded Director who is not a product of that Bureau's bureaucracy.

Since Director Carvajal was appointed by former Attorney General Bill Barr in February 2020, we have witnessed a series of cascading failures that have endangered the lives of BOP inmates, as well as the correctional officers who work there.

Director Carvajal has failed to resolve chronic staffing shortages at the Bureau. He has failed to contain outbreaks of COVID-19 within our prisons. The COVID-19 infection rate in the Bureau of Prisons is six times what it is in the rest of the population.

He has failed to fully implement the reforms that the Members of this Senate enacted, including an overwhelmingly bipartisan First Step Act, signed into law by President Trump.

To take one example, under the First Step Act, low-risk inmates are eligible to receive earned time credits to reduce their sentences. They do this by completing programs designed to prevent them from committing another crime when they are released. The inspector general concluded that the Bureau of Prisons has not allowed any—any—time credits to be awarded because they have not finalized the policy nearly 3 years after the First Step Act was signed into law.

That act was a bipartisan measure. Senator GRASSLEY and I were the lead sponsors on it. And it was a measure,

as I mentioned, signed by President Trump. For 3 years, the Bureau of Prisons has done little or nothing to implement it.

Director Carvajal has also failed to prevent serious misconduct by his own employees. Some of these numbers are incredible. Since 2019, more than 100 Federal prison workers have been arrested, charged or convicted of crimes, including sexual abuse, murder, and introducing contraband into prison.

Altogether, these crimes account for two-thirds—let me say it again: two-thirds—of criminal cases against Department of Justice personnel, even though BOP employees comprise less than one-third of the DOJ's workforce.

There is no excuse for any further delay in dismissing Director Carvajal. It is time for Attorney General Garland to appoint new leadership to the Bureau that will address the crises he has created or allowed to exist and to take critical steps to reform our Federal prison system.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEATPACKING INDUSTRY

Mr. GRASSLEY. Madam President, as the meatpacking industry became increasingly concentrated in the 1990s, fewer animals were sold through negotiated purchases—or, you could say, you could call that cash purchases or you could call it the spot market.

In the 1990s, we saw increased use of alternative marketing arrangements that were not publicly disclosed under voluntary reporting. Livestock producers knew that these arrangements were not allowing them to get a fair market price for their livestock going to slaughter so they called for livestock mandatory reporting, also known as LMR. This new law would apply to packers who purchase livestock, process them, and market the meat.

When the livestock mandatory reporting legislation was first considered in 1998, it unfortunately didn't get very far. I want to read for you an article from March of 1999 because it is going to have some relationship to a similar issue that we hope to get before Congress before the end of the year, and that is a bipartisan piece of legislation I am referring to.

I want to read an article from March 1999, from the Southern Livestock Review. That article is entitled "How Campaign Money, Republican Lobbyists Killed Mandatory Price Reporting." I am going to read that article into the RECORD in its entirety, only I will not read names. I will refer to former Senators as Senator 1, 2, and 3, and I will refer to lobbyists' names as Lobbyist 1 and Lobbyist 2.